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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,503

11/24/2003

Bertrand Haas

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7590

11/20/2008

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EXAMINER

HENNING, MATTHEW T

ART UNIT

PAPER NUMBER

2431

MAIL DATE

DELIVERY MODE

11/20/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/720,503	<b>Applicant(s)</b> HAAS, BERTRAND	
	<b>Examiner</b> MATTHEW T. HENNING	<b>Art Unit</b> 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9 and 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

1           This action is in response to the communication filed on 10/7/2008.

2                           **DETAILED ACTION**

3                           *Continued Examination Under 37 CFR 1.114*

4           A request for continued examination under 37 CFR 1.114, including the fee set forth in  
5 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is  
6 eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)  
7 has been timely paid, the finality of the previous Office action has been withdrawn pursuant to  
8 37 CFR 1.114. Applicant's submission filed on 9/9/2008 has been entered.

9           Claims 1-2, 4-9, and 11-19 have been examined.

10                          ***Response to Arguments***

11           Applicant's arguments filed 9/9/2008 have been fully considered but are moot in view of  
12 the new grounds of rejection presented below.

13           All objections and rejections not set forth below have been withdrawn.

14  
15                          ***Claim Rejections - 35 USC § 103***

16           The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
17 obviousness rejections set forth in this Office action:

18           *A patent may not be obtained though the invention is not identically disclosed or*  
19 *described as set forth in section 102 of this title, if the differences between the subject matter*  
20 *sought to be patented and the prior art are such that the subject matter as a whole would have*  
21 *been obvious at the time the invention was made to a person having ordinary skill in the art to*  
22 *which said subject matter pertains. Patentability shall not be negated by the manner in which*  
23 *the invention was made.*  
24  
25

1           Claims 1-2, 4-9, and 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable  
2   over Carr et al. (US Patent Application Publication 2003/0130954) hereinafter referred to as  
3   Carr, and further in view of Ur et al. (US Patent Number 5,813,771) hereinafter referred to as Ur.

4           Regarding claim 1, Carr disclosed a method for producing watermarked digital image  
5   data comprising: providing digital image data that represents an image (Carr Paragraph 0025);  
6   applying a digital watermark to the digital image data to produce watermarked digital image data  
7   (Carr Paragraph 0026); and printing an image on the basis of the watermarked digital image data  
8   (Carr Paragraph 0014), but Carr failed to disclose and applying a transformation to the  
9   watermarked digital image data to improve the quality of the digital image data to be printed and  
10   to produce transformed watermarked digital image data, the transformation being at least  
11   approximately an inverse of a print-scan distortion transformation. Carr also teaches scanning  
12   the watermarked digital image (Carr Paragraph 0052).

13           Ur teaches that printing and scanning introduce transformations into the image being  
14   printed and scanned (Ur Col. 2 Lines 30-32). Ur further teaches a method of measuring the  
15   introduced transformation to produce a transformation which compensates for the introduced  
16   distortion (Ur Col. 6 Line 61 - Col. 7 Line 5). Further, Ur teaches to apply these compensation  
17   transformations prior to printing (Ur Col. 9 Lines 28-34).

18           It would have been obvious to the ordinary person skilled in the art at the time of  
19   invention to have employed the teachings of Ur in the watermark printing and scanning system  
20   of Carr by applying a printer/scanner combination transformation to the watermarked image  
21   prior to printing the image. This would have been obvious because the ordinary person skilled in

1 the art would have been motivated to correct any distortion introduced to the image by the printer  
2 and scanner.

3       Regarding claim 11, Carr disclosed a method for producing watermarked digital image  
4 data comprising: providing watermark data that represents a digital watermark (Carr Paragraph  
5 0026); providing digital image data that represents an image (Carr Paragraph 0025); and  
6 combining the watermark data with the digital image data to produce watermarked digital image  
7 data that is printed (Carr Paragraph 0026 and 0014), but Carr failed to disclose applying a  
8 transformation to the watermark data to improve the quality of the digital image data to be  
9 printed and produce transformed watermark data, the transformation being at least approximately  
10 an inverse of a print-scan distortion transformation. Carr did, however, disclose the watermark  
11 being fragile and that preferably the watermark data be hidden without leaving human-apparent  
12 evidence of alteration.

13       Ur teaches that printing and scanning introduce transformations into the image being  
14 printed and scanned (Ur Col. 2 Lines 30-32). Ur further teaches a method of measuring the  
15 introduced transformation to produce a transformation which compensates for the introduced  
16 distortion (Ur Col. 6 Line 61 - Col. 7 Line 5). Further, Ur teaches to apply these compensation  
17 transformations prior to printing (Ur Col. 9 Lines 28-34).

18       It would have been obvious to the ordinary person skilled in the art at the time of  
19 invention to have employed the teachings of Ur in the watermark printing and scanning system  
20 of Carr by applying a printer/scanner combination transformation to the watermark. This would  
21 have been obvious because the ordinary person skilled in the art would have been motivated to  
22 correct any distortion introduced to the watermark by the printer and scanner.

1           It further would have been obvious to the ordinary person skilled in the art at the time of  
2 invention to only apply the transformation to the watermark data. This would have been obvious  
3 because the ordinary person skilled in the art would have been motivated to leave as little  
4 human-apparent evidence of alteration as possible.

5  
6           Regarding claim 19, Carr disclosed a method comprising: (a) providing digital image  
7 data that represents an image (See Carr Paragraphs 0025-0026 marketing image); (b) applying a  
8 digital watermark to the digital image data to produce watermarked digital image data (See Carr  
9 Paragraph 0026); (d) retrieving a characteristic of the watermark (See Carr Paragraph 0028); (e)  
10 printing an image on the basis of the watermarked digital image data produced at step (b) (See  
11 Carr Paragraph 0014); (f) scanning the printed image to produce scanned image data (See Carr  
12 Paragraph 0036); (g) retrieving a characteristic of the watermark as represented by the scanned  
13 image data produced at step (f) (See Carr Paragraph 0036); and (h) comparing the characteristic  
14 retrieved at step (d) with the characteristic retrieved at step (g) (See Carr Paragraph 0028); but  
15 Carr failed to disclose step (c) applying a print-scan distortion transformation to the watermarked  
16 digital image data to produce transformed watermarked digital image data that improves the  
17 quality of the digital image data to be printed.

18           Ur teaches that printing and scanning introduce transformations into the image being  
19 printed and scanned (Ur Col. 2 Lines 30-32). Ur further teaches a method of measuring the  
20 introduced transformation to produce a transformation which compensates for the introduced  
21 distortion (Ur Col. 6 Line 61 - Col. 7 Line 5). Further, Ur teaches to apply these compensation  
22 transformations prior to printing (Ur Col. 9 Lines 28-34).

1           It would have been obvious to the ordinary person skilled in the art at the time of  
2   invention to have employed the teachings of Ur in the watermark printing and scanning system  
3   of Carr by applying a printer/scanner combination transformation to the watermark. This would  
4   have been obvious because the ordinary person skilled in the art would have been motivated to  
5   correct any distortion introduced to the watermark by the printer and scanner.

6  
7           Regarding claim 2, Carr and Ur teach applying the print-scan distortion transformation to  
8   the digital image data prior to embedding the watermark in the digital image data (Ur Fig. 3 and  
9   associated text).

10          Regarding claim 4, Carr and Ur disclosed scanning the printed image to produce scanned  
11   image data (Carr Paragraph 0036).

12          Regarding claim 5, Carr and Ur disclosed analyzing the scanned image data to retrieve  
13   the watermark therein (Carr Paragraph 0036).

14          Regarding claims 6 and 15, Carr and Ur disclosed loading the transformed watermarked  
15   digital image data into a postage meter (Carr Paragraph 0026).

16          Regarding claims 7 and 16, Carr and Ur disclosed using the postage meter to print a  
17   postage meter indicia on a mail piece, the postage meter indicia including a printed image based  
18   on the transformed watermarked digital image data (Carr Paragraph 0025).

19          Regarding claims 8 and 17, Carr and Ur disclosed scanning the printed image to produce  
20   image data (Carr Paragraph 0036).

21          Regarding claims 9 and 18, Carr and Ur disclosed analyzing the scanned image data to  
22   retrieve the watermark therein (Carr Paragraph 0036).

Regarding claim 12, Carr and Ur taught printing an image on the basis of the watermarked digital image data (See Carr Paragraph 0014).

Regarding claim 13 Carr and Ur taught scanning the printed image to produce scanned image data (See Carr Paragraph 0036).

Regarding claim 14, Carr and Ur taught analyzing the scanned image data to retrieve the watermark therein (See Carr Paragraph 0036).

## Conclusion

Claims 1, 2, 4-9, and 11-19 have been rejected.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW T. HENNING whose telephone number is (571)272-3790. The examiner can normally be reached on M-F 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2431

1           Information regarding the status of an application may be obtained from the Patent  
2   Application Information Retrieval (PAIR) system. Status information for published applications  
3   may be obtained from either Private PAIR or Public PAIR. Status information for unpublished  
4   applications is available through Private PAIR only. For more information about the PAIR  
5   system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR  
6   system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would  
7   like assistance from a USPTO Customer Service Representative or access to the automated  
8   information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9  
10  
11   /Matthew T Henning/  
12   Examiner, Art Unit 2431  
13  
14   /Christopher A. Revak/  
15   Primary Examiner, Art Unit 2431